

**To:** Pabst, Douglas[Pabst.Douglas@epa.gov]; Kraft, Nicole[Kraft.Nicole@epa.gov]  
**From:** McKenna, Douglas  
**Sent:** Fri 4/27/2018 1:29:32 PM  
**Subject:** RE: Do you have any enforcement concerns with Newark drinking water? Thanks

What's your plan on this now Doug? It obviously needs more but have you gotten NJ's take yet?

Based on what they say we can fill in the rest, the narrative needs to be something like:

For many years Newark had been meeting the action level for the LCR, however in ??? NJ was informed and/or realized that implementation of the LCR by public water systems in the state was inadequate because correct sampling sites were not being used and the state had failed to designate on optimal water quality parameters to adequately judge if corrosion control was being optimized by the water systems. In response NJDEP developed an action plan to have many of the water systems start from the beginning with the LCR. As a result Newark has taken samples over the past year based on the correct sample selection process and subsequently exceeded the action level.

Therefore we do not feel NRDC's claims are inaccurate, but the issues were caused by past implementation deficiencies in the state that the state is now working to address. It should be noted that these issues would have been transparent to EPA under the current rule and reporting requirements, unless an onsite inspection was performed specifically reviewing where previous samples were taken.

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**From:** Pabst, Douglas  
**Sent:** Thursday, April 26, 2018 6:10 PM  
**To:** Kraft, Nicole <Kraft.Nicole@epa.gov>  
**Cc:** McKenna, Douglas <McKenna.Douglas@epa.gov>  
**Subject:** Re: Do you have any enforcement concerns with Newark drinking water? Thanks

Thanks. Always appreciate the review and support. Nothing substantive on the NOI came up on the call. Region 3 mentioned they are creating an enforcement division.

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On Apr 26, 2018, at 5:22 PM, Kraft, Nicole <Kraft.Nicole@epa.gov> wrote:

Hi Doug P.

Just having a chance to read through the fact sheet and wanted to pass along a couple errors I noticed:

- Newark sells to Belleville (listed that Newark purchases from Belleville)
- Fact sheet says there is filtration at Cedar Grove Reservoir. Cedar Grove is Newark's Uncovered finished water reservoir. There is booster chlorination after Cedar Grove but no filtration.

Did anything come out of the dw branch chief's conf call? I saw the NOI was on the agenda but missed the discussion.

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ph: 212.637.3093 / fax: 212.637.3953 / kraft.nicole@epa.gov

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**From:** Pabst, Douglas  
**Sent:** Thursday, April 26, 2018 10:39 AM  
**To:** McKenna, Douglas <[McKenna.Douglas@epa.gov](mailto:McKenna.Douglas@epa.gov)>  
**Cc:** Kraft, Nicole <[Kraft.Nicole@epa.gov](mailto:Kraft.Nicole@epa.gov)>  
**Subject:** RE: Do you have any enforcement concerns with Newark drinking water? Thanks

Hi,

Attached is what we have so far. We also agree with your conclusions. I wanted to be sure I wasn't missing anything.

Tx-Doug

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For information on drinking water visit: <https://www.epa.gov/ground-water-and-drinking-water>  
For information on the Clean Water State Revolving Fund visit: <https://www.epa.gov/cwsrf>  
For information on the Drinking Water State Revolving Fund visit: <https://www.epa.gov/drinkingwatersrf>

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**From:** McKenna, Douglas  
**Sent:** Thursday, April 26, 2018 10:30 AM  
**To:** Pabst, Douglas <[Pabst.Douglas@epa.gov](mailto:Pabst.Douglas@epa.gov)>  
**Cc:** Kraft, Nicole <[Kraft.Nicole@epa.gov](mailto:Kraft.Nicole@epa.gov)>  
**Subject:** RE: Do you have any enforcement concerns with Newark drinking water? Thanks

What are the violations that have been reported for them regarding lead and copper rule?

We know they exceeded the action level but that is not a violation.

We know there is the potential that WQP have not been set for them which is consistent with other systems in NJ but that is not a violation by the system.

What does NJDEP say about the violations NRDC is alleging?

Do you have a draft fact sheet for our review?

Thanks Doug

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**From:** Pabst, Douglas  
**Sent:** Thursday, April 26, 2018 10:22 AM  
**To:** McKenna, Douglas <[McKenna.Douglas@epa.gov](mailto:McKenna.Douglas@epa.gov)>  
**Subject:** Do you have any enforcement concerns with Newark drinking water? Thanks

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